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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/618,610	07/15/2003	Yukio Sakagawa	00862.023136.	5358
5514 7590 09/26/2008 FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112				
EXAMINER				
SAJOUS, WESNER				
ART UNIT		PAPER NUMBER		
2628				
MAIL DATE		DELIVERY MODE		
09/26/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/618,610

**Applicant(s)**

SAKAGAWA ET AL.

**Examiner**

Sajous Wesner

**Art Unit**

2628

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 July 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 13-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 13, 15, 17 and 18 is/are rejected.
- 7) ☒ Claim(s) 14 and 16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-8508)  
Paper No(s)/Mail Date 4/7/08
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

This communication is responsive to the amendments and response filed on 7/24/08. Claims 13-19 are presented for examination.

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 13 and 18 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 13, 17-19 rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuda (US 20010055039) in view of Flack et al. (US 20020084981) (or in the alternative, in view of Rosenberg (US 20040108992).

Considering claim 1, the Examiner broadly interprets Matsuda to disclose a virtual space presentation apparatus (fig. 1) generating and displaying an image of a virtual space (see figs. 10-11), according to a viewpoint position (via item 49c of fig. 7) and a visual axis direction (via item 49d of fig. 7) which are set in the virtual space (see paragraphs 104-106, 118 and 135, 140); generating and displaying a map image (see fig. 9) representing a region around the viewpoint

position, according to the viewpoint position (defined by item 49c) and the visual axis direction (defined by item 49d); and a viewpoint position and visual axis direction input unit (49, fig. 7), which is used to operate the viewpoint position and the visual axis direction (see paragraphs 99, 118 and 135).

Matsuda fails to teach an input device which is fixed in a position on said map image displaying unit, which is disclosed by Flack (see paragraph 8). See also paragraphs 126 and 213 of Rosenberg.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the virtual space of Matsuda to include an input device which is fixed in a position on said map image displaying unit, in the same conventional manner as taught by Flack (or Rosenberg); in order to provide a cursor interface that provides advanced scrolling while maintaining simple controls, thus, providing the user with an intuitive sense of what part of the image is being viewed without reducing the display space.

Claim 18 contains features that are analogous to the limitations recited in claim 13. As the limitations of claim 1 have been found obvious over Matsuda and Flack; it is readily apparent that the applied prior art performs the underlying element. As such, the limitations of claim 18, are therefore, rejected under the same rationale set forth above for claim 13.

Regarding claim 17, Rosengberg discloses viewing position and visual axis direction input includes one of a trackball, joystick and a track pad (see paragraph 175 and claim 13 for reasons of obviousness).

Claim 19 is a computer-readable medium claim that performs the method of claim 18; it is, therefore, similarly rejected.

4. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuda and Flack in view of Yamamoto (US 6377277).

Regarding claim 15, Matsuda and Flack fail to disclose the generation of a [map] as a bird's eye view, which is disclosed by Yamamoto (see fig. 4).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Matsuda and Flack to include an image of a bird's eye view, so the angle formed by the vector extending from the visual point to the subject and the vector extending from the obstacle to the subject is greater than the reference angle, thus no overlapping state exists on the image.

***Allowable Subject Matter***

5. Claims 14 and 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, because the prior art of record fail to teach that the map image generation unit generates an image of a plan-view map that looks down the region around the viewpoint position from a position immediately above the viewpoint (as recited in claim 14), wherein said viewpoint position and visual axis direction input unit is fixed in a position on a

display screen of said map image displaying unit, the position of said viewpoint position and visual axis direction input unit on the display screen is a viewpoint position of a map image displayed on the display screen, and said map image displaying unit controls the viewpoint position and the visual axis direction, by scrolling a map image displayed on the display screen according to operation to said viewpoint position and visual axis direction input unit (as recited in claim 16).

***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sajous Wesner whose telephone number is 571-272-7791. The examiner can normally be reached on M-F 9:15-6:45.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on 571-272-7664. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sajous Wesner/  
Primary Examiner, Art Unit 2628

WS

9/15/08